

Feb. 28. 2008 11:23AM

ashkan najafi pa

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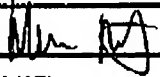
PTO/SB/21 (04-07)

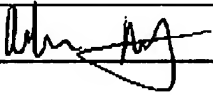
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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/728,430
	Filing Date	12/08/2003
	First Named Inventor	BRUCE C. DOAN
	Art Unit	3643
	Examiner Name	BERRY, WILLIE WENDELL JR
	Attorney Docket Number	JAM 848
Total Number of Pages in This Submission		<b>3</b>

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks MISCELLANEOUS LETTER THAT CORRECTS THE NOTICE OF ALLOWANCE DATE STATED IN THE PETITION FILED ON 2-27-08 THE PETITION FILED ON 2-27-08 IS INCORPORATED BY REFERENCE TO THE PRESENT SUBMISSION		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	LAW OFFICE OF ASHKAN NAJAFI, PA		
Signature			
Printed name	ASHKAN NAJAFI		
Date	2.28.08	Reg. No.	49078

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	ASHKAN NAJAFI	Date	2.28.08

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 11/143977  
Applicant : Benedict Keenan  
Filed : 6-3-05  
TC/AU : 3618  
Docket No. : JAM978  
Customer No. : 34356

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION TO CORRECT THE NOTICE OF ALLOWANCE  
DATE STATED IN THE 02/27/08 PETITION TO THE COMMISSIONER UNDER 37  
C.F.R. 1.181(a)**

Sir:

The previous petition filed on 02/27/08 incorrectly stated that applicant responded to the Notice of Allowance dated 03/16/07. The correct date of the Notice of Allowance is 09/06/07, as indicated hereinbelow.

Applicant respectfully requests the Notice of Abandonment dated 01/31/08 (included herewith) to be withdrawn because Applicant submitted a complete and timely response to the Notice Of Allowance dated **09/06/2007**. A copy of the acknowledged Part B-Fee Transmittal sheet is included herewith as prima facie evidence of a proper and timely filed issue fee.

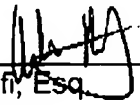
Applicant has included a print out of an email, which provides prima facie evidence that the examiner incorrectly checked box 5B (requested drawing changes) on the Notice of Allowance (please see attached email). Applicant verbally notified the examiner about the incorrectly checked box on at least one occasion; November 19, 2007. Applicant explained to the examiner that no drawing changes were necessary because the claims were amended on the previous amendment, which overcame the drawing objections.

On 2/21/2008, both the examiner and the examiner's supervisor confirmed and acknowledged that no drawing changes were necessary with the payment of the issue fee. The examiner's supervisor, Mr. Peter Poon, informed applicant that a petition must

Page 1 of 2

be filed to forward the application to the publication department. Therefore, applicant respectfully requests the above-mentioned Notice of Abandonment be withdrawn and the application forwarded to the publication department for issuance into a patent. Please contact the undersigned attorney of record if you have any questions.

Respectfully submitted,

By   
Ashkan Najafi, Esq.  
Reg. No. 49,078  
Customer No. 34,356

Date 2.28.08

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